

Application No. 09/990,068
Attorney Docket No. FCI-2652/C3197
(21729-0002)

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FEB 20 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of: NGUYEN :
: :
Application No.: 09/990,068 : Group Art Unit: 2833
: :
Filed: November 21, 2001 : Examiner: F. Figueroa
RCE Filed: June 4, 2003 :
: :
For: ELECTRICAL PIN CONTACT

RESUBMISSION OF RESPONSE UNDER 37 C.F.R. 1.111

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to a telephone conversation with Supervisory Primary Examiner Bradley on February 20, 2004, Applicant is hereby resubmitting copies of a Response under 37 C.F.R. 1.111 previously submitted on October 23, 2003 and received by the United States Patent and Trademark Office (USPTO) on October 27, 2003.

On July 23, 2003, Examiner Figueroa issued an Office Action to which Applicant responded on October 23, 2003 with a Response under 37 C.F.R. 1.111. The October 23rd Response was received by the USPTO on October 27, 2003, as indicated by a stamped return receipt postcard, a copy of which is enclosed. On February 19, 2004, the undersigned attorney was informed by the prior owner of the Application (through the prior attorney of record) that the Application was to be abandoned for failure to file a response to the July 23rd Office Action. Upon reviewing the October 23rd Response, the undersigned attorney realized that the incorrect application number was used in the October 23rd Response. The undersigned attorney had inadvertently and accidentally used application number 09/900,068 (incorrect number) in the October 23rd Response instead of the correct number of 09/990,068 to identify the Application. The remaining identifying information about the Application, e.g., Examiner name, art unit, filing date, title, etc., was correctly identified in the October 23rd Response.

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Applicant respectfully submits that the Application should not be abandoned for failure to file a response to the July 23rd Office Action because the October 23rd Response was timely submitted by Applicant and could have been matched with the Application file even though incorrect application number was used in the October 23rd Response. Applicant is resubmitting copies of all papers submitted on October 23, 2003 including the Response under 37 C.F.R. 1.111, the Certificate of Mailing, the Transmittal Form, and the stamped Return Receipt Postcard returned by the USPTO with a date October 27, 2003, and requesting entry of the October 23rd Response in the Application. As Applicant had filed a timely response to the outstanding Office Action, Applicant submits that no extensions of time fees are necessary for consideration of the October 23rd Response.

In addition, Applicant submitted a Revocation of Power of Attorney, a new Power of Attorney and a Statement Under 3.73(b) and associated assignments with the October 23rd Response, copies of which are also enclosed. These documents also included the incorrect application number as described above. Applicant requests that these documents be entered in the Application to reflect the desired change in Power of Attorney and Correspondence Address.

If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

The Commissioner is hereby authorized to charge any necessary fee for entry and consideration of Applicant's Response and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,
McNEES, WALLACE & NURICK LLC

By



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Dated: February 20, 2004

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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please consider the following Response for the above-referenced Application.

A.) INTRODUCTORY COMMENTS

This Response is filed in response to the Office Action dated July 23, 2003.

The Amendments to the Specification section begins on page 2 of this Response.

The Amendments to the Claims section begins on page 3 of this Response and any amendments to the claims are reflected in the listing of the claims included therein.

The Amendments to the Drawings section begins on page 9 of this Response and any amendments to the drawings include both an attached replacement sheet and an annotated sheet showing any changes.

The Remarks/Arguments section begins on page 10 of this Response.